

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ANDREW R. MAY, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,
vs.

TELIK, INC., MICHAEL M. WICK,
CYNTHIA M. BUTITTA, UBS SECURITIES
LLC, LEHMAN BROTHERS HOLDINGS
INC., BEAR STEARNS & CO. INC.,
NEEDHAM & COMPANY, INC., LAZARD
FRERES & CO., LLC, FORTIS SECURITIES
INC. and J.P. MORGAN SECURITIES INC.,

Defendants.

KEVIN HENNESSY, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,
vs.

TELIK, INC., MICHAEL M. WICK,
CYNTHIA M. BUTITTA, UBS SECURITIES
LLC, LEHMAN BROTHERS HOLDINGS
INC. and J.P. MORGAN SECURITIES INC.,

Defendants.

Electronically Filed

Civil Action No. 1:07-cv-04819-CM
(ECF Case)

Civil Action No. 1:07-cv-05707-CM

**MOTION OF RICHARD SCOTT POOLE TO CONSOLIDATE ACTIONS,
TO BE APPOINTED LEAD PLAINTIFF AND FOR APPROVAL OF LEAD
PLAINTIFF'S SELECTION OF LEAD COUNSEL AND LIAISON COUNSEL**

PLEASE TAKE NOTICE that class member Richard Scott Poole, by his counsel, will hereby move this Court, on a date and at such time as may be designated by the Court, for an Order: (i) consolidating for all purposes the above-captioned related actions pursuant to Fed. R. Civ. P. 42; (ii) appointing Richard Scott Poole as lead plaintiff; (iii) approving Richard Scott Poole's selection of the law firm of Schiffren Barroway Topaz & Kessler, LLP to serve as Lead Counsel; (iv) approving Richard Scott Poole's selection of the law firm of Brodsky & Smith, LLC to serve as Liaison Counsel; and (v) granting such other and further relief as the Court may deem just and proper. In support of this motion, Richard Scott Poole submits herewith a Memorandum of Law and Declaration of Evan J. Smith.

Dated: August 6, 2007

Respectfully submitted,

BRODSKY & SMITH, LLC

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Proposed Liaison Counsel

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Proposed Lead Counsel

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing document was filed and served via electronic transmission with the clerk of court using the CM/ECF system on this 6th day of August, 2007 and thereby served upon all counsel of record. It is further certified that the foregoing document was sent via first class mail, postage pre-paid to the following non-ECF participants:

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